

UNITES STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY TRONCHIN,

Plaintiff,

-against-

THE SHUBERT ORGANIZATION, INC.; KENNY
NUNEZ; CATHY COZENS; and MICHAEL COCO,

Defendants.
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NOTICE OF PARTIAL MOTION
TO DISMISS

23 Civ 10053 (MMG)

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in Support of Defendant’s Partial Motion to Dismiss the Complaint, the Declaration of Lauri F. Rasnick, and the exhibits annexed thereto, defendants, by and through their attorneys Epstein Becker & Green, P.C., will move this Court before the Honorable Margaret M. Garnett, United States District Judge, Southern District of New York, at the United States Courthouse for the Southern District of New York, Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007, on May 13, 2024, for an Order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff’s New York State Human Rights Law and New York City Human Rights Law claims in their entirety, dismissing all Title VII and ADEA claims against the individual defendants, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Court’s Individual Rules, Plaintiff’s opposition, if any, shall be served within four-weeks after service of this motion, and Defendants’ reply shall be served within two-weeks after receipt of Plaintiff’s opposition.

PLEASE TAKE FURTHER NOTICE, that pursuant to Rule 12(a)(4) of the Federal Rules of Civil Procedure, in the event that the Court denies this Partial Motion to Dismiss, in whole

or in part, defendants reserve their right to answer and respectfully request 30-days from the docketing of the order in which to file an answer.

Dated: New York, New York
April 1, 2024

EPSTEIN BECKER & GREEN, P.C.

/s/ Lauri F. Rasnick
By: Lauri F. Rasnick
Christopher Coyne
875 Third Avenue
New York, New York 10022
(212) 351-4500
Attorneys for Defendants